

1  
2  
3  
4  
5

6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8  
9 VIESTE, LLC, et al.,

10 Plaintiffs, No. C 09-04024 JSW

11 v.

12 HILL REDWOOD DEVELOPMENT, LTD.,  
13 et al.,

14 Defendants.  
15 \_\_\_\_\_/

**ORDER (1) CONTINUING  
HEARING ON MOTION TO  
DISMISS; (2) SETTING BRIEFING  
SCHEDULE ON MOTION TO  
EXTEND TIME; AND (3)  
CONTINUING CASE  
MANAGEMENT CONFERENCE**

16  
17 This matter is set for a hearing on January 15, 2010 on the motion to extend time for  
18 service pursuant to Federal Rule of Civil Procedure 4(m) filed by plaintiffs Vieste, LLC and  
19 Vieste Development, LLC (“Vieste”). The Court HEREBY ORDERS that an opposition to the  
20 motion to extend time shall be filed by no later than December 24, 2009 and a reply brief, if  
21 any, shall be filed by no later than January 4, 2009.

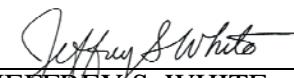
22 If the Court determines that the matter is suitable for resolution without oral argument, it  
23 will so advise the parties in advance of the hearing date. If the parties wish to modify this  
24 schedule, they may submit for the Court’s consideration a stipulation and proposed order  
25 demonstrating good cause for any modification requested.

26 The Court HEREBY CONTINUES the hearing on the motion to dismiss filed by  
27 defendants Hill International, Inc. and Redwood Capital Advisors, LLC to January 15, 2009.  
28 This Order does not alter the briefing schedule previously set by the Court.

1           The Court FURTHER ORDERS that the case management conference is CONTINUED  
2 to February 12, 2010. If the Court grants Vieste's motion to extend time to serve and all  
3 defendants have not yet been served by February 5, 2010, the parties may file a stipulation and  
4 proposed order to further continue the case management conference. However, the parties are  
5 directed to propose a date by which they seek to have the case management conference moved.

6           **IT IS SO ORDERED.**

7  
8           Dated: December 10, 2009

  
9           \_\_\_\_\_  
10          JEFFREY S. WHITE  
11          UNITED STATES DISTRICT JUDGE